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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,945	06/22/2001	Sanae Okuyama	SON - 2132	6219
23353	7590	12/15/2005	EXAMINER	
RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			MILIA, MARK R	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/885,945

Applicant(s)

OKUYAMA ET AL.

Examiner

Mark R. Milia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 9/19/05 and has been entered and made of record.

Specification

2. Applicant's amendment to the specification has overcome the objection cited in the previous Office Action. Therefore the objection has been withdrawn.

Response to Arguments

3. Applicant's arguments filed 9/19/05 have been fully considered but they are not persuasive.
4. In response to applicant's arguments regarding the rejection of claims 1, 6, and 7, wherein on page 9, the applicant asserts that the reference of Silverbrook fails to disclose extraction of specified character data from memory. The examiner respectfully disagrees as the reference of Silverbrook does disclose such a feature. Particularly, Silverbrook states that the DVD is a storage medium for storing the video game and all associated information regarding the video game. The user can print out brag cards at

certain points in the game and personalized the cards by choosing a character, among other things. As such, it can be seen from the reference that the character is stored on the DVD and is extracted to print the brag card when the user decides to do so.

Support for the above can be found in column 2 lines 58-60, column 3 line 61-column 4 line 7, and column 4 lines 11-18. It is well known in the art for a DVD to store all the necessary information to run the video game and information regarding characters, objects, and other such items associated with the game. Further, the character must be stored in some fashion to allow the user to chose the character that will be printed on the brag card and therefore, as shown by the reference of Silverbrook, the character data is stored on the DVD and extracted to print on the brag card when the user reaches a certain point in the game.

5. Therefore, the rejection of claims 1-7, as cited in the previous Office Action, under 102(e), as being anticipated by Silverbrook et al., is maintained and repeated in this Office Action.

Claim Rejections - 35 USC § 102

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6835135 to Silverbrook et al.

Regarding claim 1, Silverbrook discloses a card making device for making character cards wherein said card making device is comprised of the following means: character data storage means for storing data character data consisting of data on said character appearing game (see column 2 lines 58-60 and column 4 lines 13-18, reference states that character data is stored on DVD game discs, CD-ROMs, or other conventional memory cartridges, also the print module contains a memory for video game functions), character data extraction means for extracting said specified character data from said character data storage the means (see column 2 lines 58-60, column 3 line 61-column 4 line 7, and column 4 lines 11-18), character layout information input means for inputting card layout information specifying the card layout, said card layout here indicating a card layout for said character shown in said character data extracted by said character data extraction means (see column 4 lines 1-7), card display image information generation means for generating card display image information showing a card display image where said character is positioned (see Fig. 11 (50), column 2 lines 53-55, reference shows a video out source for displaying images), said character here indicating a character shown in said character data extracted by said character data extraction means according to said layout information input by said card layout information input means (see column 3 line 61-column 4 line 7), and card display image information output means for outputting card display image information generated by the card display image information generation means to a printer (see Figs. 1 and 11, column 2 lines 35-40, column 3 lines 38-42, and column 3 line 61-column 4 line 7).

Regarding claims 6 and 7, Silverbrook discloses a card making method and recording medium stored with a program implemented by computer, comprising: storing character data consisting of data on said character appearing in the game, character data storage means storing said character data (see column 2 lines 58-60, column 3 line 61-column 4 line 7, and column 4 lines 11-18, reference states that character data is stored on DVD game discs, CD-ROMs, or other conventional memory cartridges), extracting said specified character data from said character data storage means (see column 2 lines 58-60, column 3 line 61-column 4 line 7, and column 4 lines 11-18), inputting card layout information specifying the card layout for said character shown in said extracted character layout for said character data (see column 4 lines 1-7), generating card display image information showing the card display image placed with said character shown in said extracted character data, according to said input card layout information (see Fig. 11 (50) and column 2 lines 53-55), and outputting said generated card display image information to a printer (see Figs. 1 and 11, column 2 lines 35-40, column 3 lines 38-42, and column 3 line 61-column 4 line 7).

Regarding claim 2, Silverbrook discloses the system discussed in claim 1, and further discloses wherein said character data extraction means extracts said specified character data from said character data storage means when specified conditions in said game are fulfilled (see column 3 lines 61-67).

Regarding claim 3, Silverbrook discloses the system discussed in claim 1, and further discloses wherein said device further comprises a character selection means for selecting said character for said card making, and said character data of said character

selected by said character selection means is extracted by said character data extraction means (see column 3 line 61-column 4 line 7).

Regarding claim 4, Silverbrook discloses the system discussed in claim 1, and further discloses wherein said character data is comprised of said character special feature information showing image information for said character and special features of said character (see column 4 lines 1-7).

Regarding claim 5, Silverbrook discloses the system discussed in claim 4, and further discloses wherein said character layout information is information specifying card layout information items showing features of said character shown in said character special feature information and in the card layout of the image shown in image information on said character (see column 3 line 61-column 4 line 7).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (571) 272-7402. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MRM

Mark R. Milia
Examiner
Art Unit 2622


EDWARD COLES
SUPERVISOR